

MINUTES
INDIAN LAKE BOROUGH COUNCIL MEETING
APRIL 11, 2012

The regularly scheduled meeting of the Indian Lake Borough Council was held on April 11, 2012 at 7:00 P.M. at the Indian Lake Borough Building.

THOSE PRESENT:

Patricia Dewar, Council President
Paul Cornez
Charles McCauley
Robert Marhefka
Robert Hanson
Lynn Shimer
Attorney Daniel Rullo, Solicitor
Michael D. Miscoe, Mayor
Theresa L. Weyant, Borough Manager/Secretary
Dean J. Snyder, Zoning Officer/Water & Sewer Plant Operator

THOSE ABSENT:

Terry St. Clair

Visitors – Richard Stern, Phil Petrunick, and Christopher Brewer.

The meeting was called to order at 7:02 P.M. by Patricia Dewar, President.

ORDER OF BUSINESS

1. Approve the Minutes of the Meeting Held on March 14, 2012 - Dewar asked for additions and/or corrections. There being none, Hanson made a motion to approve the minutes as submitted. Shimer seconded the motion. 5 ayes and 1 abstention. Motion carried. Cornez filed the abstention memorandum with the Borough Secretary.

2. Financial Reports – Dewar made a motion to approve the Finance Committee’s recommendation to approve the Borough’s Financial Reports, including the amendments to the List of Bills Report and to pay the outstanding bills. Cornez seconded the motion. All ayes, motion carried.

Dewar made a motion, based on the recommendation of the Finance Committee, to approve the Water Works Financial Reports, including the amendments to the List of Bills Report, and to pay the outstanding bills. Shimer seconded the motion. All ayes, motion carried.

Dewar made a motion, based on the recommendation of the Finance Committee, to approve the Sewer Financial Reports, and to pay the outstanding bills. Cornez seconded the motion. All ayes, motion carried.

Dewar made a motion, based on the recommendation of the Finance Committee, to approve the Summary of Account Balance Report as presented. Shimer seconded the motion. All ayes, motion carried.

2. Welcome Visitors – Richard Stern, Phil Petrunick, and Christopher Brewer.

3. Christopher Brewer, Dinsmore & Shohl-Permanent Financing for Dam Remediation Project - Hanson made a motion to enact Ordinance No. 159 for \$7,000,000 General Obligation Note, Series A and B of 2012 naming the purchaser of said Note A in the amount of \$3.5 million to 1st Summit Bank and Note B for the balance of the loan to Somerset Trust Company pursuant to their proposals dated April 9, 2012 and March 5, 2012 with the discussed change made adding CME Engineering as a Professional Engineer, to page 1 and to authorize Patricia Dewar and Theresa Weyant to execute the documents. Cornez seconded the motion. All ayes, motion carried.

4 Sean Isgan, CME Engineering-Dam Remediation Update:

A. Phase 3 – Isgan reviewed the final plans along with the proposal for Phase 3 of the Dam Remediation Project which addresses the PMF flood. After a discussion Hanson made a motion to authorize Patricia Dewar and Theresa Weyant to sign the permit and application and to authorize CME Engineering to forward the documents to the Department of Environmental Protection. Shimer seconded the motion. All ayes, motion carried.

B. Valve Exercise - Cornez provided each Council member with a detailed and itemized breakdown of exercising the valve along with a history of the valve leakage. Cornez has also prepared a Standard Operating Procedure sheet for exercising the upstream and downstream valve, which should be used until the project is completed and a full manual is provided.

5. Legal Report:

A. Department of Environmental Protection-Proposed Consent Order and Agreement for 4-Log – Hanson made a motion to adopt Resolution 2012-2 as presented and to authorize the Borough Manager to execute the proposed consent order and agreement and to request Attorney Rullo’s signature on the Consent Order and Agreement. Cornez seconded the motion. All ayes, motion carried.

6. Correspondence:

A. Somerset County Planning Commission-Universal American, Inc. Violation of the Somerset County Subdivision and Land Development Regulations for the Commercial Building – The Somerset County Planning Commission did a field inspection on March 19, 2012 and determined that the landscaping buffer proposed on Ms. Markferding’s original land development plan has not achieved the required 8 foot high visual buffer. The original plantings have died and have not been replaced.

7 Committee Reports:

A. Finance Report:

1. Closing the PNC Bank Line of Credit Checking Account – Dewar made a motion to authorize the Borough Secretary to deposit the check from PNC Bank, in the amount of \$392.02, which closed out the Line of Credit from PNC Bank and to deposit that check into the Somerset Trust Dam Remediation Checking Account and to apply it to the principle of the loan payment. Cornez seconded the motion. All ayes, motion carried.

2. 2012 Goose Management Program – Dewar reported that the Indian Lake Service Corporation will be funding the 2012 Goose Management Program this year.

3. Separation of Funds between Somerset Trust and 1st Summit Bank – Dewar reported that the Finance Committee is recommending that the General Fund, Water Works Fund, and the Sewer Fund remain at Somerset Trust and the Highway Aid, Capital Asset and the Water Quality Control Account will go to 1st Summit Bank. Council was in agreement with the recommendation.

4. CME Engineering Invoice #27525 – Cornez made a motion to authorize payment for invoice #27525, in the amount of \$227.50, to adjust sluice gate down-pressure to reduce leakage and to charge the invoice against Phase III since it is such a miniscule amount. McCauley seconded the motion. All ayes, motion carried.

B. Police Report:

1. Seven Springs Borough-Accepting Bids on a 2008 Ford Expedition Police Vehicle – Hanson made a motion to authorize Mayor Michael Miscoe and Robert Marhefka to look at the vehicle and if they think it is worth it, to formulate a bid not to exceed \$9,000.00. Shimer seconded the motion. All ayes, motion carried.

2. Hiring of two (2) Part-Time Police Officers – McCauley made a motion to hire Mark Custer for a 3-month introduction period at a starting wage of 12.50 per hour and after the 3- month introduction period, his wage would go to \$15.00 and to hire Tom Holland at a starting wage of \$15.00. Cornez seconded the motion. All ayes, motion carried.

3. Resignation of Shawn Hillegas – Hanson made a motion to accept the resignation of Shawn Hillegas from the Indian Lake Borough Police Department. McCauley seconded the motion. All ayes, motion carried.

C. Environmental Report – Shimer reported that Bill Kirkpatrick along with Rob Carey will attend the Service Corporation on May 19th to discuss and answer any questions on the Lake Study Report that was completed last year.

Shimer made a motion to authorize the Borough Secretary to apply for a lake draw down permit for the fall of this year. Council is proposing to lower the lake 10 to 12 feet starting October 1st thru March 31st. McCauley seconded the motion. All ayes, motion carried.

D. Water & Sewer Report – Hanson reported that the major components for the SCADA System are in and installed. There are a few bugs that still need to be worked out.

5. Old Business:

A. FEMA-Final Flood Hazard Determination – Hanson made a motion to authorize Attorney Rullo to prepare a summary of the Proposed Flood Plain Ordinance No. 160, which requires all persons, partnerships, businesses and corporations to obtain a permit for any construction or development within area of the Borough which are subject to flooding and to authorize the Borough Secretary to advertise for adoption at the May 9th meeting. Shimer seconded the motion. All ayes, motion carried.

B. Tour of PBS Water Treatment Facilities at Clear Run – Cornez provided each Council Member with a brief summary of a tour that was done on March 5, 2012 of the PBS Treatment Facilities located on Clear Run. Attached to the report were copies of monitoring reports, which were done by PBS on the raw water as well as the treated water. Cornez has checked into what it would cost should the Borough want to do their own sampling in order to verify what is actually flowing into the lake and the cost would be \$70.00 per samples.

Council requested that Cornez try to find out what the parameters should be and compare it to what they actually are and Council can review that data and will discuss and decide if they want to pursue taking their own samples at the June 2012 meeting.

Hanson stated that he will scan this information and will forward it to Chris Meyers and see if Chris can give us the parameters.

6. New Business:

A. Hosting the May Somerset County Boroughs Association Dinner Meeting – Mayor Miscoe reported that he has volunteered the Borough to host the May Somerset County Boroughs Association Dinner Meeting, to be held on May 17th at the Indian Lake Lodge. There is no cost to the Borough.

B. Setting a Mandatory Amount of Liability Insurance for a Boat – Attorney Rullo stated that he has been contacted by a resident who was recently involved in an accident on the lake, and a question was raised as to whether or not a condition should be placed upon the issuance of boat permits that would require a minimum amount of liability coverage. Currently, the Borough does not require a minimum amount of liability coverage. Mayor Miscoe suggested that a better approach would be to educate the residents as to what the potential risk of loss might mean to them personally and what the estimated costs would be for a million dollar policy and let the residents make their own personal choice with their insurance agents.

7. Public Comment: None.

With no further business to discuss, Hanson moved and Shimer seconded to adjourn the meeting at 10:02 P.M. All ayes, motion carried.

The next regularly scheduled meeting of the Indian Lake Borough Council will be held on May 9, 2012 at 7:00 P.M. at the Indian Lake Borough Building.

Respectfully submitted,

Theresa L. Weyant
Borough Manager